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ATTORNEYS FOR DEBTOR SUPERIOR AIR PARTS, INC.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:	§	Case No. 08-36705
	§	
SUPERIOR AIR PARTS, INC.,	§	Chapter 11
	§	
Debtor.	§	
	§	

**DEBTOR'S OBJECTION TO AMENDED PROOF OF CLAIM NO. 64
FILED BY MALONEY, BEAN, HORN & HULL, PC**

**A HEARING MAY NOT BE CONDUCTED HEREON
UNLESS A RESPONSE IS FILED WITH THE CLERK OF
THE UNITED STATES BANKRUPTCY COURT AT EARLE
CABELL BUILDING, U.S. COURTHOUSE 1100
COMMERCE STREET - ROOM 1254 DALLAS, TX 75242-
1496 BEFORE CLOSE OF BUSINESS ON SEPTEMBER
17, 2009, WHICH IS THIRTY (30) DAYS FROM THE DATE
OF SERVICE HEREOF.**

**ANY RESPONSE MUST BE FILED WITH THE CLERK,
AND A COPY MUST BE SERVED UPON COUNSEL FOR
THE MOVING PARTY PRIOR TO THE DATE AND TIME
SET FORTH HEREIN. IF A RESPONSE IS FILED A
HEARING WILL BE HELD WITH NOTICE TO ALL
INTERESTED PARTIES.**

**IF NO HEARING ON SUCH NOTICE OR MOTION
INITIATING A CONTESTED MATTER IS TIMELY**

**REQUESTED, THE RELIEF REQUESTED SHALL BE
DEEMED TO BE UNOPPOSED, AND THE COURT MAY
ENTER AN ORDER GRANTING THE RELIEF SOUGHT
OR THE NOTICED ACTION MAY BE TAKEN**

TO: THE HONORABLE BARBARA J. HOUSER,
UNITED STATES BANKRUPTCY JUDGE:

Superior Air Parts, Inc. ("Superior"), Debtor-in-Possession, files this objection to Amended Proof of Claim No. 64 filed by Maloney, Bean, Horn & Hull, PC, and would show as follows:

1. On February 13, 2009, Maloney, Bean, Horn & Hull, PC ("Claimant") filed proof of claim number 64 ("Original Claim") in the amount of \$425,610.51, for legal services rendered for Debtor and expenses incurred and unpaid as of the time of the bankruptcy filing.

2. On August 6, 2009, Claimant filed amended proof of claim number 64 ("Amended Claim") in the amount of \$175,806.29.

3. The Claim arises out of Claimant's role as insurance defense counsel for Debtor prior to the commencement of this case. In the Attachment to the Original Claim, Claimant admitted that it does not have a claim against the Debtor:

"Claimant has assigned its claim for the amounts Debtor owes it arising under its deductible obligations; accordingly, as of the petition date, and the date of the filing of this Proof of Claim, the amounts sought hereunder represent legal fees and expenses in excess of any deductible obligation of Debtor and have not been paid by either the Debtor or the applicable insurance carrier. Although Claimant believes that the obligation to pay the amounts covered by this Proof of Claim is an obligation of the insurance carriers, this claim is being filed out of an abundance of caution in the event that the carriers don't pay the amounts covered by this proof of claim and there are, or may be, theories upon which recovery can be sought from the Debtor."

4. Superior objects to the Amended Claim because the amounts sought by Claimant are for legal fees and expenses in excess of any deductible obligation

Superior may have under the applicable policies of insurance. Superior has no legal obligation to pay fees in excess of its deductibles.

WHEREFORE, the Debtor request that the Court grant this Objection and deny Amended Claim 64, and that Debtor have such other and further relief as this Court may deem just and proper.

Respectfully submitted,

/s/ Stephen A. Roberts

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**BANKRUPTCY ATTORNEYS FOR DEBTOR
SUPERIOR AIR PARTS, INC.**

CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing pleading were forwarded to the parties listed below via first class U.S. Mail, postage prepaid, on the 18th day of August, 2009.

Claimant:

Maloney, Bean, Horn & Hull, PC
511 E. John Carpenter Freeway, Suite 440
Irving, TX 75062

Debtor:

Superior Air Parts, Inc.
621 S. Royal Lane, Suite 100
Coppell, TX 75019-3805

U.S. Trustee:

Mary Frances Durham
Office of the United States Trustee
1100 Commerce Street, Room 976
Dallas, TX 75242

Counsel for the Committee:

David W. Parham,
Elliot Schuler & A. Swick
Baker & McKenzie LLP
2001 Ross Ave., Suite 2300
Dallas, TX 75201

/s/ Stephen A. Roberts

Stephen A. Roberts